



**AN ACT CONCERNING SAFE DRINKING WATER.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2021*) (a) As used in this section:

2 (1) "Bottled water" has the same meaning as defined in section 21a-  
3 150 of the general statutes;

4 (2) "Drinking water" means water, treated or untreated, intended for  
5 human use and consumption, including, but not limited to, drinking,  
6 bathing, showering, cooking, dishwashing and maintaining oral  
7 hygiene;

8 (3) "Fill station" means a location at which customers of a water  
9 company may obtain drinking water from a water company that is not  
10 affected by an event impacting the quality or quantity of drinking water  
11 being provided to consumers;

12 (4) "Consumer" has the same meaning as provided in section 25a-32a  
13 of the general statutes; and

14 (5) "Water company" has the same meaning as provided in section 25-  
15 32a of the general statutes.

16 (b) A water company shall provide to its consumers an alternative  
17 source of drinking water as a temporary measure when there is a water

18 main break, loss of system pressure or other event that the water  
19 company determines may last more than eight consecutive hours and  
20 that the Department of Public Health determines may affect the quality  
21 or quantity of water being provided to such consumers. Alternative  
22 sources of water include bulk water provided by a bulk water hauler  
23 licensed pursuant to section 20-278h of the general statutes, bottled  
24 water or a fill station. A water company shall update its emergency  
25 response plan prepared pursuant to section 25-32d of the general  
26 statutes or pursuant to section 19-13-B102 of the regulations of  
27 Connecticut state agencies, as applicable, to include information  
28 regarding how such water company will comply with this section.

29       Sec. 2. (NEW) (*Effective October 1, 2021*) A water company shall  
30 provide tier 1 notices to its consumers in the languages predominantly  
31 spoken by the consumers in the water company's service area. A water  
32 company shall update its emergency response plan prepared pursuant  
33 to section 25-32d of the general statutes or pursuant to section 19-13-  
34 B102 of the regulations of Connecticut state agencies to include  
35 information regarding the provision of such multilingual  
36 communications. For purposes of this section, "water company" has the  
37 same meaning as provided in section 25-32a of the general statutes and  
38 "tier 1 notices" has the same meaning as provided in section 19-13-B102  
39 of the regulations of Connecticut state agencies.

40       Sec. 3. (NEW) (*Effective October 1, 2021*) If the Governor proclaims that  
41 a state of civil preparedness emergency, pursuant to section 28-9 of the  
42 general statutes, or a public health emergency, pursuant to section 19a-  
43 131 of the general statutes, exists, each community water system shall  
44 report the community water system's operational status to WebEOC as  
45 soon as practicable, but not later than eight hours after the time of such  
46 proclamation, and at any time thereafter that the status of such system  
47 changes. For purposes of this section, "community water system" means  
48 a public water system that serves at least twenty-five residents, and  
49 "WebEOC" means a web-based emergency management information  
50 system used by the state to document routine and emergency events or  
51 incidents and provide a real-time common operating picture and

52 resource request management tool for emergency managers at the local  
53 and state levels during exercises, drills, local or regional emergencies or  
54 state-wide emergencies.

55 Sec. 4. (NEW) (*Effective October 1, 2021*) (a) As used in this section:

56 (1) "Consumer" has the same meaning as provided in section 25-32a  
57 of the general statutes;

58 (2) "Owner" means the person or entity that owns or controls the  
59 small community water system; and

60 (3) "Small community water system" has the same meaning as  
61 provided in section 19a-37e of the general statutes.

62 (b) Not later than January 1, 2025, each owner of a small community  
63 water system shall complete a small community water system capacity  
64 implementation plan on a form prescribed by the Department of Public  
65 Health demonstrating that such owner has the managerial, technical  
66 and financial capacity to continue to own and operate such system and  
67 shall implement such plan. Following the completion of the initial small  
68 community water system capacity implementation plan, each small  
69 community water system shall update such small community water  
70 system capacity implementation plan annually and make such small  
71 community water system capacity implementation plan available to the  
72 department upon request. Such plan shall include:

73 (1) A description of the small community water system, including the  
74 number of consumers and persons served, and sources of drinking  
75 water;

76 (2) Ownership and management information, including the type of  
77 ownership structure and the current names, addresses and telephone  
78 numbers of the owners, certified operators and emergency contact  
79 persons for the small community water system;

80 (3) Service area maps;

81 (4) Facilities maps, including the location of and specific information  
82 regarding sources, storage facilities, treatment facilities, pressure zones,  
83 booster pumps, hydrants, distribution lines, valves and sampling  
84 points;

85 (5) A description of such system's cross-connection control program;

86 (6) A description of such system's source water protection program;

87 (7) A copy of such system's emergency response plan required  
88 pursuant to section 19-13-B102 of the regulations of Connecticut state  
89 agencies;

90 (8) A capital improvement program, including the schedule that  
91 identifies all capital improvements scheduled for a five-year planning  
92 period and capital improvements or major projects scheduled for a  
93 twenty-year planning period;

94 (9) Water production and consumption information;

95 (10) Information regarding public water systems that are nearby,  
96 including the distance from the small community water system and type  
97 of public water system, if any. Such information shall be based on the  
98 coordinated water system plan approved by the Commissioner of  
99 Public Health pursuant to section 25-33h of the general statutes for the  
100 water utility coordinating committee in which such small community  
101 water system is located; and

102 (11) Financial capacity information, including:

103 (A) An evaluation of the small community water system's fiscal and  
104 assessment management plan prepared pursuant to section 19a-37e of  
105 the general statutes;

106 (B) A summary of the income and expenses for the five years  
107 preceding the date of submission of the plan;

108 (C) A five-year balanced operation budget;

109 (D) Water rate structure and fees charged, including information  
110 regarding how such rates and fees are updated and whether such rates  
111 and fees are sufficient to maintain cash flow stability and to fund the  
112 capital improvement program, as well as any emergency  
113 improvements; and

114 (E) An evaluation that has considered the affordability of water rates.

115 (c) On or before July 1, 2025, and annually thereafter, the small  
116 community water system shall provide a summary of its small  
117 community water system capacity plan in the small community water  
118 system's consumer confidence report required by section 19-13-B102 of  
119 the regulations of Connecticut state agencies.

120 (d) The provisions of this section shall not apply to a small  
121 community water system that is (1) regulated by the Public Utilities  
122 Regulatory Authority, (2) subject to the requirements set forth in section  
123 25-32d of the general statutes, or (3) a state agency.

124 (e) The provisions of this section shall be deemed to relate to the  
125 purity and adequacy of water supplies for the purposes of the  
126 imposition of a penalty under section 25-32e of the general statutes.

127 (f) The commissioner may adopt regulations, in accordance with the  
128 provisions of chapter 54 of the general statutes, to carry out the  
129 provisions of this section.

130 Sec. 5. Section 21a-150b of the general statutes is repealed and the  
131 following is substituted in lieu thereof (*Effective October 1, 2021*):

132 (a) Qualified employees of a bottler shall collect samples of water  
133 from each approved source used by such bottler not less than once  
134 annually to test for contaminants for which allowable levels have been  
135 established in accordance with 21 CFR 165.110 and regulations adopted  
136 pursuant to sections 21a-150 to 21a-150j, inclusive, as amended by this  
137 act, and not less than once every three years to test for contaminants for  
138 which monitoring is required pursuant to sections 21a-150 to 21a-150j,

139 inclusive, as amended by this act, but for which no allowable level has  
140 been established. Qualified employees of an approved laboratory shall  
141 analyze such samples to determine whether such source complies with  
142 the provisions of sections 21a-150 to 21a-150j, inclusive, as amended by  
143 this act, any regulation adopted pursuant to said sections and any  
144 allowable contaminant level set forth in 21 CFR 165.110. Microbiological  
145 analysis shall be conducted not less than once each calendar quarter if  
146 the source of such water is other than a public water supply and shall  
147 be in addition to any sampling and analysis conducted by any  
148 government agency or laboratory.

149 (b) Qualified employees of a bottler shall collect samples of water  
150 from any source used by such bottler when such bottler knows or has  
151 reason to believe that water obtained from such source contains an  
152 unregulated contaminant in an amount which may adversely affect the  
153 health or welfare of the public. Qualified employees of an approved  
154 laboratory shall analyze such samples periodically to determine  
155 whether water obtained from any such source is safe for public  
156 consumption or use.

157 (c) On or before January 1, 2022, and annually thereafter, qualified  
158 employees of a bottler shall (1) collect samples of water from each  
159 approved source that is located in the state, that has been inspected and  
160 approved by the Department of Public Health pursuant to subdivision  
161 (2) of subsection (a) of section 21a-150a and is used by such bottler, prior  
162 to any treatment, to test for perfluoroalkyl substances and other  
163 unregulated contaminants, and (2) have such samples analyzed by an  
164 environmental laboratory registered by the Department of Public  
165 Health pursuant to section 19a-29a that has the Environmental  
166 Protection Agency approved certification to conduct such analysis. For  
167 purposes of this subsection, "unregulated contaminant" means a  
168 contaminant for which the Commissioner of Public Health, pursuant to  
169 section 22a-471, has set a level at which such contaminant creates or can  
170 reasonably be expected to create an unacceptable risk of injury to the  
171 health or safety of persons drinking such source of water.

172 Sec. 6. Section 21a-150d of the general statutes is repealed and the  
173 following is substituted in lieu thereof (*Effective October 1, 2021*):

174 (a) A laboratory which analyzes any water sample in accordance with  
175 any provision of sections 21a-150 to 21a-150j, inclusive, as amended by  
176 this act, shall report the results of such analysis to the bottler of such  
177 water.

178 (b) Such results shall be available for inspection by the Department  
179 of Consumer Protection.

180 (c) A bottler shall report any result which indicates that a water  
181 sample contains contaminants in an amount exceeding any applicable  
182 standard to the Department of Consumer Protection not later than  
183 twenty-four hours after learning of such result.

184 (d) A bottler shall report the results of the analysis conducted  
185 pursuant to subsection (c) of section 21a-150b, as amended by this act,  
186 to the Department of Public Health and the Department of Consumer  
187 Protection not later than nine calendar days after receipt of the results  
188 from the environmental laboratory. If such results exceed the level set  
189 by the Commissioner of Public Health pursuant to section 22a-471 for  
190 such perfluoroalkyl substances and other unregulated contaminants,  
191 the Department of Public Health may require such bottler to discontinue  
192 use of its approved source until such source no longer creates an  
193 unacceptable risk of injury to the health or safety of persons drinking  
194 the bottled water that comes from such source. The Department of  
195 Public Health shall notify the Department of Consumer Protection of  
196 any source for which the Department of Public Health has discontinued  
197 use until such source no longer creates an unacceptable risk of injury to  
198 the health or safety of the persons drinking the bottled water that comes  
199 from such source. For purposes of this section, "unregulated  
200 contaminant" means a contaminant for which the Commissioner of  
201 Public Health, pursuant to section 22a-471, has set a level at which such  
202 contaminant creates or can reasonably be expected to create an  
203 unacceptable risk of injury to the health or safety of the persons drinking

204 such source of water.

205 [(d)] (e) All records of any sampling or analysis conducted in  
206 accordance with the provisions of sections 21a-150 to 21a-150j, inclusive,  
207 as amended by this act, shall be maintained on the premises of the  
208 bottler for not less than five years.

209 Sec. 7. Section 25-40a of the general statutes is repealed and the  
210 following is substituted in lieu thereof (*Effective October 1, 2021*):

211 (a) Not later than twenty-four hours after obtaining a public water  
212 system test result that shows a contaminant at a level that is in violation  
213 of the federal Environmental Protection Agency national primary  
214 drinking water standards, the environmental laboratory that performed  
215 the test shall notify any persons who requested such test and the  
216 Department of Public Health, in a form and manner prescribed by the  
217 Commissioner of Public Health, of such test result. For purposes of this  
218 subsection, "contaminant" means e. coli, lead, nitrate and nitrite.

219 (b) Not later than five business days after receiving notice that a  
220 public water system is in violation of the federal Environmental  
221 Protection Agency national primary drinking water standards, the  
222 Commissioner of Public Health, or the commissioner's designee, shall  
223 give written or electronic notification of such violation to the chief  
224 elected official of the municipality where such public water system is  
225 located and of any municipality that is served by such public water  
226 system.

227 Sec. 8. (NEW) (*Effective October 1, 2021*) Each health care institution,  
228 as defined in section 19a-490 of the general statutes, required to obtain  
229 potable water as a temporary measure to alleviate a water supply  
230 shortage shall obtain such potable water from (1) a bulk water hauler,  
231 licensed pursuant to section 20-278h of the general statutes, or (2) a  
232 bottler, as defined in section 21a-150 of the general statutes.



This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>October 1, 2021</i>	New section
Sec. 3	<i>October 1, 2021</i>	New section
Sec. 4	<i>October 1, 2021</i>	New section
Sec. 5	<i>October 1, 2021</i>	21a-150b
Sec. 6	<i>October 1, 2021</i>	21a-150d
Sec. 7	<i>October 1, 2021</i>	25-40a
Sec. 8	<i>October 1, 2021</i>	New section

**Statement of Legislative Commissioners:**

In Section 4(b)(11)(A), "fiscal plan" was changed to "fiscal and asset management plan" for accuracy.

**PH**      *Joint Favorable Subst.*